

**Virginia Board of Counseling
Minutes
May 16, 2003**

TIME AND PLACE: The meeting was called to order at 10:11 a.m. on May 16, 2003 in conference room 1 of the Department of Health Professions, 6603 W. Broad Street, 5th floor, Richmond, Virginia.

PRESIDING: Rosemarie S. Hughes, Ph.D., Chair of the Board presided.

MEMBERS PRESENT: Abigail C. Barnes
Barbara M. Chrisley, Ph.D.
Kevin S. Doyle, Ed.D.
Jack Knapp, D. D.
Janice F. McMillan, Ph.D.
Eric T. Scalise
Lynnette L. Shadoan
Pamela Siegel

MEMBERS ABSENT: Timothy Clinton, Ed.D.
Alan W. Forrest, Ed.D.
Maurice Graham, D. Min.
Howard R. King, Jr. Ph.D.
Natale Ward

STAFF PRESENT: Evelyn B. Brown, Executive Director
Benjamin Foster, Deputy Executive Director
Joyce D. Williams, Administrative Assistant
Howard Casway, Esq. Assistant Attorney General

PUBLIC COMMENT:

There was no public comment.

APPROVAL OF MINUTES:

The minutes of February 28, 2003 were approved.

EXECUTIVE DIRECTOR:

To expedite the process of issuing consent orders, a motion was made by Dr. McMillan and seconded by Dr. Knapp that the Board authorize the Executive

Director or his or her designee to execute consent orders on behalf of the Board as outlined in Section 54.1-2400.13. The motion carried unanimously.

Ms. Brown gave an overview of bills that became law and are relevant to the Department of Health Professions.

Ms. Brown announced that on June 12 there will be training for investigators and board members on custody evaluation cases given by Arnold Stolberg, Ph.D., Professor of Psychology, Virginia Commonwealth University

COMMITTEE REPORTS:

Regulatory/Supervision/Legislation

Dr. McMillan reported that submission of a Pre-NOIRA is no longer required in the regulatory process.

The Regulatory/Supervision/Legislation Committee recommended that the Board develop a NOIRA to make the language consistent in all of the Board's regulations.

The Committee recommended that at the August Board meeting the Board develop a NOIRA to update the Standards of Practice.

The Committee recommended that the Credentials Committee develop guidelines to handle individuals who have continuing competency deficiencies once the requirement for continuing competency is prepared.

Mr. Foster distributed a copy of the Regulations Governing the Certification of Substance Abuse Counselors and Substance Abuse Counselor Assistants to the Board and informed the Board that these regulations will be effective June 18, 2003.

EXAMINATION FOR LICENSED SUBSTANCE ABUSE TREATMENT PRACTITIONERS (LSATP):

Dr. Doyle expressed some concern that the NAADAC MAC exam and the E-MAC would only be acceptable for those individual who had taken the examination to get their license under the time-limited waiver. The Examination Committee will be asked to examine the issue of accepting both examinations for all LSATP applicants.

COMMITTEE REPORTS (Continued):

Discipline

Ms. Shadoan reported that the Board has 11 complaints in Enforcement and four cases at Board level. She further reported that one case is in the Administrative Proceeding Division for preparation of a notice of informal conference and two informal conferences have been held since the last Board meeting. Ms. Shadoan also reported that two consent orders are to be presented to the Board today.

A motion was made by Eric Scalise that the Board convene in closed session for the purpose of deliberation to reach a decision in the matter of two consent orders.

The Board reconvened in open session. Mr. Scalise certified in a motion that the Board discussed only issues exempt from the Freedom of Information Act while in closed session.

A motion was made by Dr. Hughes and seconded by Ms. Shadoan to approve the consent order for Edward Dudzinski, Jr. The motion was unanimously accepted.

A motion was made by Dr. Hughes and seconded by Ms. Shadoan to approve the consent for Renee J. Moore. The motion was unanimously accepted.

Board of Health Professions

Dr. Knapp reported that the Board of Health Professions met on May 2, 2003. At that meeting the Board of Nephrology Examiners of Nursing and Technology made a presentation. A sanction study report was given by Neil Kauder. There was a motion at the Board of Health Profession's meeting to share this study with the Federation of States Medical Board.

Gail Jaspen attended the Board of Health Professions' meeting and reported that the Department is working on promulgation of regulations for HB 1441, and the determination of staffing needs primarily because the requirements of HB144 will impact all Boards. Ms. Jaspen also reported on budget proposals for the 2004-05 budget and a prescription drug monitoring program for southwest Virginia.

OLD BUSINESS:

There was no old business to come before the Board.

NEW BUSINESS:

Portability

Dr. McMillan discussed a draft for the portability process. The draft proposal for portability will be put on the Board's August 22 Board meeting agenda for discussion and a Board decision.

Election of Officers.

The Executive Committee recommended the nomination of Eric Scalise for vice-chair. A motion was made by Dr. Hughes and seconded by Ms. Barnes to accept the Committee's recommendation. The motion was accepted unanimously.

Janice McMillan succeeded Dr. Hughes as Chair. Dr. Hughes acknowledged that this meeting is her last meeting, expressed her appreciation to the Board members for their hard work and wished the Board continued success in its future activities.

The meeting adjourned at 12:07 p.m.

Rosemarie S. Hughes, Ph.D. Chair

Evelyn B. Brown, Executive Director